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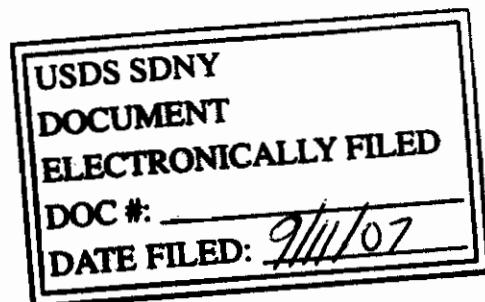
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September 11, 2007

Kerry A. Brennan
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BY HAND

Hon. Judge P. Kevin Castel
Daniel Patrick Moynihan Courthouse
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007



Re: Ventura Foods, LLC v. Supreme Oil Company, Incorporated a.k.a.
Admiration Foods (07 Civ. 7338) (PKC) (MHD)

Dear Judge Castel:

A conference was held on Tuesday, September 4, 2007, with respect to the Order to Show Cause dated August 17, 2007 in this matter which set a briefing schedule and hearing date in connection with the application of Plaintiff Ventura Foods, LLC ("Ventura") for a preliminary injunction against Supreme Oil Company. Pursuant to your request, attached are the dates that were set by this Court or subsequently agreed by the parties with respect to the application for a preliminary injunction in connection with this matter.

1. The parties will conduct limited discovery with respect to Plaintiff's application for a preliminary injunction in this matter comprised of:
 - a. Limited document discovery. Defendant may seek discovery as the Plaintiff's likelihood of prevailing on the merits, including but not limited to, that relating to strength and validity of Plaintiff's mark and trade dress; Plaintiff's development of its MEL-FRY® mark, trade dress and underlying product; actual confusion; dilution; proximate channels of trade and types of customers; irreparable harm; statements in Terry Splane's declaration in support of the preliminary injunction application; laches and Plaintiff's alleged bad faith in commencing the lawsuit. Plaintiff

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may seek discovery of Defendant's knowledge of Plaintiff's mark and trade dress, Defendant's development of its MEGA-FRY mark, trade dress and the underlying product; evidence of Defendant's intent to infringe; substantiation of Defendant's claim that MEGA-FRY is "The longest lasting frying oil;" sales and advertising methods; types of customers and channels of trade; average sales price; actual confusion and customer complaints; the production, composition, and quality of Defendant's product; as well as Defendant's bad faith. Because of the expedited nature of this discovery, the parties shall undertake best efforts to produce documents sufficient to respond to the scope of the subject matters of such discovery. Document discovery shall be completed by September 17, 2007.

> OK
PKC

- b. Limited Deposition Discovery. Each party shall be entitled to one Rule 30(b)(6) deposition. The deposition of the corporate representative of Ventura Foods shall take place on September 18, 2007, and the deposition of the corporate representative of Supreme shall take place on September 25, 2007. The parties have not agreed on the location of the depositions. The scope of such depositions shall be limited to the same topics set forth for document discovery in section (a) above.
- 2. If Plaintiff intends to rely upon an expert report at the preliminary injunction hearing, it shall produce an expert report in compliance with the Federal Rules of Civil Procedure by September 21, 2007 at 5:00 p.m.; if Defendant intends to rely upon an expert report at the preliminary injunction hearing, it shall produce an expert report in compliance with the Federal Rules by October 1, 2007 at 5:00 p.m.
- 3. By October 1, 2007 at 5:00 p.m., Plaintiff shall serve and file any supplemental papers in support of its application for a preliminary injunction in this matter and identify all potential witnesses it intends to call at the preliminary injunction hearing. By October 9, 2007 at 5:00 p.m., Defendant shall serve and file any papers in opposition to Plaintiff's application for a preliminary injunction and identify all potential witnesses it intends to call at the preliminary injunction hearing. By October 15, 2007 at 5:00 p.m., Plaintiff shall serve and file any reply papers in support of its preliminary injunction application.

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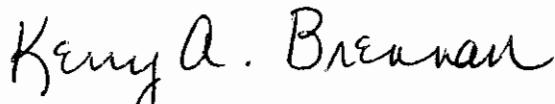
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4. The preliminary injunction hearing shall be held on October 17, 2007 at 10:00 a.m. Three hours have been allocated for the hearing.

A draft of this letter was sent to Edward Kelly, counsel for Defendant, for review and comment prior to transmittal to the Court.

Respectfully submitted,

Sincerely,



Kerry A. Brennan

cc: Edward P. Kelly, Esq. (by e-mail)
Richard L. Kirkpatrick, Esq.

SO ORDERED:



United States District Court Judge

